

that they have seen in the Democratic Party and the policies that are coming forward that they are rejecting because they do not want to give up their freedom. They are willing to fight for their freedom so that their children and their grandchildren know the promises of the American dream and have the opportunity to live their lives in freedom.

I yield the floor.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The PRESIDING OFFICER (Mr. HICKENLOOPER). Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Tiffany P. Cunningham, of Illinois, to be United States Circuit Judge for the Federal Circuit.

#### VOTE ON CUNNINGHAM NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Cunningham nomination?

Mr. SCHATZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

(Mr. HEINRICH assumed the Chair.)

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from Arizona (Mr. KELLY) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO) and the Senator from Nebraska (Mr. SASSE).

The result was announced—yeas 63, nays 33, as follows:

[Rollcall Vote No. 267 Ex.]

#### YEAS—63

Baldwin	Grassley	Portman
Bennet	Hassan	Reed
Blumenthal	Heinrich	Romney
Brown	Hickenlooper	Rosen
Burr	Hirono	Rounds
Cantwell	Kaine	Rubio
Capito	King	Sanders
Cardin	Klobuchar	Schatz
Carper	Leahy	Schumer
Casey	Lee	Shaheen
Collins	Lujan	Sinema
Coons	Manchin	Smith
Cornyn	Markey	Stabenow
Cortez Masto	Menendez	Tester
Duckworth	Merkley	Tillis
Durbin	Murkowski	Van Hollen
Ernst	Murphy	Warner
Feinstein	Murray	Warnock
Fischer	Ossoff	Warren
Gillibrand	Padilla	Whitehouse
Graham	Peters	Wyden

#### NAYS—33

Barrasso	Braun	Cruz
Blackburn	Cassidy	Daines
Blunt	Cotton	Hagerty
Boozman	Cramer	Hawley

Hoeven	Marshall	Shelby
Hyde-Smith	McConnell	Sullivan
Inhofe	Moran	Thune
Johnson	Paul	Toomey
Kennedy	Risch	Tuberville
Lankford	Scott (FL)	Wicker
Lummis	Scott (SC)	Young

#### NOT VOTING—4

Booker	Kelly
Crapo	Sasse

The nomination was confirmed.

The PRESIDING OFFICER (Ms. SMITH). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

#### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### INFRASTRUCTURE

Mr. SCHUMER. Madam President, for the past several months, both Democrats and Republicans have been hard at work putting together two major infrastructure bills to meet the challenges of the 21st century. We have proceeded along two tracks. The first track is a bipartisan infrastructure framework that has been agreed to by a group of Democrats and Republican Senators and the White House. The second track is a budget resolution with reconciliation instructions that will allow the Senate to take up the American Jobs and Families Plan and make historic investments in jobs, family support policies, and initiatives to fight climate change. This week, the Senate aims to make even more progress on these tracks.

Tonight, in a few minutes, I will file cloture on a shell bill, which will act as a legislative vehicle for the bipartisan infrastructure framework. That vote on cloture will take place on Wednesday. Again, that vote on Wednesday will be a vote on cloture simply to the motion to proceed to a debate on a bipartisan infrastructure bill.

I want to be clear about what these steps mean. There has been some confusion. What we are talking about this week is a vote on whether to proceed to debate on the bipartisan infrastructure framework. The motion to proceed on Wednesday is simply about getting the legislative process started here on the Senate floor; it is not a deadline to determine every final detail of the bill. All a "yes" vote on the motion to proceed simply means is that the Senate is ready to begin debating and amending a bipartisan infrastructure bill; no more, no less.

It is important to remember that even after the Wednesday cloture vote, there are up to 30 hours of debate before we can adopt the motion to proceed and offer amendments.

So let me be very clear about what I am committing to the Senate as majority leader. If the bipartisan group of Senators reaches a final agreement on legislative text by Thursday, I will make that agreement the pending substitute amendment for debate once the motion to proceed is adopted. If for some reason the group does not finalize

the legislative text to the agreement in time for Thursday, then I will offer an amendment consisting only of the elements of the bill that have already been put through committee on a bipartisan process. This will allow this Senate to begin debate and amendments on the bipartisan base bill, which has four main components:

First, the Environment and Public Works Committee report of the water bill. This bill passed by a voice vote in committee and then 89 to 2 on the Senate floor.

Second, the Environment and Public Works Committee report of the highway bill. This passed by 20 to nothing.

Third, the Commerce Committee report on the rail and safety bill. This bill passed by 25 to 3.

Fourth, the Energy and Natural Resources Committee report of the Energy bill. This passed 13 to 7.

Again, if the text of the bipartisan deal is ready on Thursday, I will offer it as the first substitute amendment. If for some reason it is not, I will offer an amendment that consists only of the elements of the bill that have gone through committee with substantial bipartisan support, the four pieces that I mentioned just a second ago.

Now, I have spoken with the five leading Democratic negotiators: Senators SINEMA, WARNER, TESTER, SHAHEEN, and MANCHIN. They support this approach.

I would remind my colleagues, moving to proceed to a legislative vehicle, a shell bill, for bipartisan legislation, even while the negotiators finalize the text of that legislation, is a routine process in this Chamber. We have done it repeatedly. It is a sign of good faith from both sides that negotiations will continue in earnest and both sides are committed to reaching an outcome.

Earlier this year, the Senate moved forward on a vehicle—a legislative vehicle—for what became the COVID-19 Hate Crimes Act. In fact, we went through the same process when the Senate moved to proceed to the legislative vehicle for what ultimately became the United States Innovation and Competition Act. In that legislation, our Senate committees were working on various bills that all had to do with American innovation and competition.

The Commerce Committee reported out the Endless Frontier Act. The Foreign Relations Committee reported out the Strategic Competition Act. And the Homeland Security Committee reported out additional pieces of legislation. We put them together once we voted to proceed to debate on the topic. The same thing—the very same thing is happening on the bipartisan infrastructure bill.

I understand that both sides are working very hard to turn the bipartisan infrastructure framework into final legislation, and they will continue to have more time to debate, amend, and perfect the bill once the Senate votes to take up this crucial issue.

But they have been working on this bipartisan framework for more than a month already, and it is time to begin the debate. We must make significant progress on both the bipartisan infrastructure bill and the budget resolution before the end of the work period. There is no reason we can't get the ball rolling this week on both elements of the Senate's infrastructure agenda.

#### VICTIMS OF CRIME ACT

Madam President, on one final matter, VOCA, tomorrow, the Senate will take up a desperately needed fix to the Victims of Crime Act. Survivors of violent crime often bear tremendous financial hardship, everything from medical costs to emergency housing, to legal fees and mental health services.

After suffering a violent crime, the last thing Americans should have to worry about is being unable to afford the basic services they need to stitch their lives back together. So, for over 35 years, the Justice Department's Crime Victims Fund has provided assistance to Americans impacted by violent crime, such as domestic abuse, sexual assault, human trafficking, DUIs, and other horrific crimes.

Traditionally, most of the funding came from penalties paid through Federal convictions, but over time the fund has shrunk dramatically. Compared to 5 years ago, next year, the victims of crime fund could fall to less than one-twentieth of its former size.

So, tomorrow, the Senate will vote on a measure to replenish the victim of crimes fund and ensure that it remains stable for the foreseeable future. This legislation passed the House with overwhelming bipartisan support, and here in the Senate it has at least 63 cosponsors. The legislation ought to sail through the Senate tomorrow.

The survivors of violent crimes deserve the peace of mind that they do not bear the burden of recovering from their trauma alone.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 142.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination. The legislative clerk read the nomination of Bonnie D. Jenkins, of New York, to be Under Secretary of State for Arms Control and International Security.

#### CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 142, Bonnie D. Jenkins, of New York, to be Under Secretary of State for Arms Control and International Security.

Charles E. Schumer, Ben Ray Lujan, Jeff Merkley, Raphael Warnock, Alex Padilla, Sheldon Whitehouse, Christopher A. Coons, Benjamin L. Cardin, Jack Reed, Patrick J. Leahy, Tammy Baldwin, Robert P. Casey, Jr., Christopher Murphy, Tim Kaine, John Hickenlooper, Angus S. King, Jr., Tammy Duckworth.

#### LEGISLATIVE SESSION

INVESTING IN A NEW VISION FOR THE ENVIRONMENT AND SURFACE TRANSPORTATION IN AMERICA ACT—Motion to Proceed

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to Calendar No. 100, H.R. 3684.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows: Motion to proceed to Calendar No. 100, H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

#### CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 100, H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Charles E. Schumer, Alex Padilla, Jeff Merkley, Sheldon Whitehouse, Jon Tester, Christopher A. Coons, Benjamin L. Cardin, Jack Reed, Patrick J. Leahy, Tim Kaine, Tammy Baldwin, John Hickenlooper, Angus S. King, Jr., Tammy Duckworth, Patty Murray, Joe Manchin III, Mark Kelly, Kyrsten Sinema.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, July 19, be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MEASURE READ THE FIRST TIME—S. 2382

Mr. SCHUMER. Madam President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The leader is correct.

The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 2382) to authorize the National Cyber Director to accept details from other elements of the Federal Government on non-reimbursable basis, and for other purposes.

Mr. SCHUMER. I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

#### TRIBUTE TO BILL BRASCH

Mr. MCCONNELL. Madam President, for the past 3 years Bill Brasch has led our shared fraternity, Phi Kappa Tau, as national president, helping the organization navigate the tumultuous COVID-19 pandemic. Through his work, he helped maintain a vast network of philanthropy and brotherhood that has raised more than \$1.6 million for charity in the past 25 years and developed more than 100,000 men of character into men of distinction since 1906. Bill has contributed immensely to the continuity and growth of Phi Kappa Tau and helped it develop into a formidable nationwide organization.

Bill attended my alma mater, the University of Louisville, and built a prestigious reputation in student government and Greek life. He remained at the school after graduation, spending 32 years coordinating the construction and renovation of campus buildings, including the Phi Kappa Tau fraternity house in 2007. He continued his involvement in Phi Kappa Tau at both the local and national level, eventually rising to his current role in 2018.

Bill saw our fraternity through one of its most challenging periods when, in the spring of 2020, the COVID-19 pandemic forced colleges and universities across the country to shutter. Thousands of brothers were sent home from campus, threatening the very core of fraternity life. Bill's tenure as national president, originally intended to be a 2-year term, was extended into 2021 as the crisis forced Phi Kappa Tau to cancel its national convention. However, through Bill's hard work, the fraternity didn't just survive the pandemic but thrived. Phi Kappa Tau is now well-prepared to return to campuses across the country and bring young men back together in brotherhood, just as it has for more than a century.

Bill Brasch has devoted his life to Phi Kappa Tau's mission "to champion a lifelong commitment to brotherhood, learning, ethical leadership and exemplary character." In recognition of his